


# Worksession

<b>Agenda Item #</b>	12
<b>Meeting Date</b>	September 26, 2005
<b>Prepared By</b>	Suzanne Ludlow, Community and Government Liaison
<b>Approved By</b>	Barbara B. Matthews, City Manager 

<b>Discussion Item</b>	Proposed Reclassification of Alcohol Beverage License for Manna Restaurant, 8640 Flower Avenue
<b>Background</b>	<p>The owners of Manna Restaurant, 8640 Flower Avenue, have applied to reclassify their current Class H, on-sale, beer and wine license to a Class B, on and off-sale beer and wine license. A public hearing on the request is scheduled before the Board of License Commissioners on Thursday, October 6 at 9:30 a.m.</p> <p>A Class H license allows a restaurant with 40 or more seats to serve beer and light wine to patrons for consumption on site. A Class B license allows a restaurant with 40 or more seats to serve beer and light wine to patrons for consumption on site or for purchase to carry out.</p> <p>It had been staff's understanding that the State law that regulates alcoholic beverage licenses in Takoma Park prohibits the sale of alcoholic beverages for carry out, with the exception of several locations in the section of Takoma Park that used to be in Prince George's County that were grandfathered in during Unification. The City Attorney's office has been asked to research whether or not the off-sale of alcoholic beverages in Takoma Park is, in fact, permitted.</p> <p>If the applicant is able to apply for the Class B license, the Council may wish to take a position on whether or not Manna Restaurant should be granted such a license. According to the Board of License Commissioners' staff and the Takoma Park Police Chief, the restaurant does not have a history of significant problems. However, the police have noted problems related to loitering and drinking in public in the general area.</p> <p>Beer, wine and liquor is available for purchase at businesses very close to Manna Restaurant. A County liquor store is diagonally across the street, and the Bestway grocery store and Flower Avenue Deli sell carry out beer and wine. There may be other locations within a block that sell beer and wine, as well.</p>
<b>Policy</b>	The Council is concerned with the health and well being of the community, and the economic health of its commercial sector.
<b>Fiscal Impact</b>	Little.
<b>Attachments</b>	
<b>Recommendation</b>	Hear information from City Attorney. Direct staff to take no action regarding Manna's application or to write a letter expressing the City's position.
<b>Special Consideration</b>	If the Class B On/Off Sale License is able to be used in Takoma Park, other restaurants may choose to reclassify their licenses to the Class B license.